

U.S. Application No. 10/090,368 Examiner Matthew Genack Art Unit 2645  
Response to April 20, 2005 Office Action

### **RESPONSE**

In response to the Office Action dated April 20, 2005, Assignee respectfully requests reconsideration based on the following remarks. Assignee respectfully submits that all pending claims (1-35) are in condition for allowance.

The United States Patent and Trademark Office (the "Office") objected to FIG. 5, objected to claim numbering, rejected claims 1 and 20 under 35 U.S.C. § 112 as being indefinite and failing to particularly point out and distinctly claim the invention, rejected claims 1-3, 9, 11-16, 18-22, 26, 28-33, and 35 under 35 U.S.C. § 102(b) as being anticipated by Swan et al. (U.S. Patent No. 5,978,451), rejected claims 4-5 under 35 U.S.C. § 103(a) as being unpatentable over Swan et al. in view of Salazar (U.S. Patent No. 5,802,467), and rejected claims 6-8 and 23-25 under 35 U.S.C. § 103(a) as being unpatentable over Swan et al. in view of Ikonen (U.S. Patent No. 6,473,078). The specification is amended to include the reference numeral "82" to overcome the objection to FIG. 5. The claim number has been renumbered by Examiner Genack and the amendment to the claim number is accepted by the Assignee. Further, the Assignee shows that the pending claims point out and distinctly claim the invention and that the pending claims are not anticipated, nor obviated, by the cited art. Thus, the Assignee respectfully submits that the pending claims (claims 1-35) are ready for allowance.

#### ***July 27, 2005 Interview:***

On July 27, 2005, an interview (hereinafter referred to as "the Interview") was held with Matthew Genack (Examiner), Fan Tsang (Examiner Genack's Supervisor), and Bambi Walters (Attorney for Assignee). During the interview, the participants discussed the objections and rejections of the April 20, 2005 Office Action. Further, the participants reached an agreement to include additional claim language to describe the embodiment of FIG. 3 to distinguish the claims from Swan et al. (U.S. Patent No. 5,978,451).

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***Drawings:***

In the reason for objecting to FIG. 5, Examiner Genack finds that the specification fails to include reference numeral "82". April 20, 2005 Office Action (hereinafter referred to as "Office Action"), p. 2, paragraph 1. In this Amendment and Response (hereinafter referred to as the "Response"), Assignee amends the specification to include reference numeral "82". Consequently, Assignee respectfully requests Examiner Genack to remove the objection to FIG. 5.

***Claim Objections:***

Examiner Genack renumbered claim 32 (previously misnumbered as claim 15). Assignee agrees with Examiner Genack's amendment of claim 32, and consequently, this objection is now moot.

***§112 Rejection:***

In the Office Action, the Examiner rejected claims 1 and 20 for citing "the telephone call" stating that the language "would be self contradictory." Office Action, p. 3. As discussed during the Interview, the invention provides systems and methods for both routing a telephone call to a particular handset and for not routing the same telephone call to the particular handset. See, U.S. App. No. 10/090,368, p. 9. Moreover, Assignee has further amended claims 1 and 20 to more distinctly claim the invention in accordance with FIG. 3 and further includes language to indicate that the base unit control both (1) routing and (2) not routing. Assignee respectfully requests that Examiner Genack remove the § 112 rejection of amended claims 1 and 20.

***§102 and §103 Rejections:***

The Office claims 1-3, 9, 11-16, 18-22, 26, 28-33, and 35 under 35 U.S.C. § 102(b) as being anticipated by Swan et al. (U.S. Patent No. 5,978,451). The Office further rejected claims 4-5 under 35 U.S.C. § 103(a) as being unpatentable over Swan et al. in view of Salazar (U.S. Patent No. 5,802,467), and rejected claims 6-8 and 23-25 under 35 U.S.C. § 103(a) as being unpatentable over Swan et al. in view of Ikonen (U.S. Patent No. 6,473,078). As agreed during the interview, Assignee amends independent claims 1 and 20 in accordance with FIG. 3 to overcome these rejections. The Assignee, then, respectfully requests Examiner Genack to

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remove the rejections to independent claims 1 and 20 and corresponding dependent claims 2-29 and 21-35. Further, Assignee respectfully asserts that claims 1-35 are in condition for allowance.

### **CONCLUSION**

All of the objections and rejections have been overcome. Further, none of the references cited by Examiner Genack, alone or in combination, disclose or suggest the claimed invention. Therefore, Assignee respectfully solicits a Notice of Allowance for all pending claims (claims 1-35).

### **AUTHORIZATION FOR PAYMENT OF FEES & REQUEST FOR AN EXTENSION OF TIME**

Assignee respectfully requests an additional three month extension of time fee for this Amendment and Response to the April 20, 2005 Office Action. Assignee submits payment for a one month extension of time to respond to the April 20, 2005 Office Action from July 20, 2005 to the one month extension of August 20, 2005.

Description of Fee	Amount
One Month Extension of Time Fee	\$120.00
<b>Total</b>	<b>\$120.00</b>

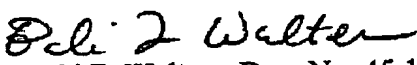
The Assignee, therefore, includes a Credit Card Payment Form PTO-2038 for \$1200.00. If there are any other fees due in connection with the filing of this response, please charge the fees to the credit card on file. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to the credit card on file.

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If the Office has any questions, the Office is invited to contact the undersigned at (757)  
253-5729 or [bambi@wzpatents.com](mailto:bambi@wzpatents.com).

Respectfully submitted,

  
Bambi F. Walters, Reg. No. 45,197  
Attorney for Assignee  
PO Box 5743  
Williamsburg, VA 23188  
Telephone: 757-253-5729

Date: AUGUST 20, 2005